IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

WRIT PETITION NO.6826 OF 2004

Hotel Vinod Bar and Restaurant : Petitioner

V/s.

The State of Maharashtra & Ors. : Respondents

...

Mr.Parshurami for the petitioner.

Mr.A.M.Palekar, Asstt. Govt. Pleader for respondent nos.1 to 4.

...

CORAM : S.A. BOBDE, J.

February 28, 2005.

P.C.:

1. The question involved in this petition is regarding the correctness of the order directing cancellation of the petitioner's licence.

2. The respondents have in their affidavit filed by one Vakil A. Mulla, Inspector of Police, A.P.M.C. Police Station, stated as follows:-

> "7. With reference to point No.(ii) raised by this Hon'ble Court, I have to submit

> that if the Petitioner is willing to give an undertaking that he will not commit any such offences under the Bombay Police Act, 1951 nor commit any breach of the license conditions nor make any application for issuance of performance license and strictly comply with the license conditions, then the authorities may consider in allowing the Petitioner to open his establishment since a period of 3 1/2 years have lapsed i.e. from 6.4.2001 on which date the Petitioner's establishment had been ordered to close down, in view of his license being cancelled."

3. Mr.Parshurami, learned counsel for the petitioner, states that the petitioner is willing to submit such an undertaking. The petitioner is directed to submit such an undertaking as above to the Commissioner of Police within a period of four weeks from today. Upon such an undertaking being furnished, the Commissioner of Police may consider permitting the petitioner to do his business under a proper PPEL and Eating House Licence.

4. The petition is, accordingly, disposed of.

Sd/-

S.A. BOBDE, J.